

M E M O R A N D U M

TO: Parties to Below Referenced Adversary Proceeding

FROM: Bankruptcy Clerks Office

RE: Instructions and Information for Pretrial Scheduling Memorandum

ADVERSARY PROCEEDING NUMBER: _____

ADVERSARY PROCEEDING NAME: _____

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In accordance with Rule 26(f) of the Federal Rules of Civil Procedure and Bankruptcy Rule 7026, this Court requires that the parties to an adversary proceeding meet on or before _____. At such meeting, the parties are required to discuss the items described in Federal Rule 26(f) with the exception of the disclosures required under Rule 26(a)(1) (which have been excluded by order of the District Court).

If the parties agree on a discovery plan, they must sign and file a Joint Scheduling Memorandum with the Court within **10 days** after the previously described scheduling meeting. The parties must also prepare and attach to the memorandum a **separate** Scheduling Order. In the event the Court signs the Scheduling Order, the initial pretrial hearing will be canceled.

If all matters in the Scheduling Memorandum are not agreed to by all parties, a separate Scheduling Memorandum must be filed by each party within **10 days** of the scheduling meeting. Absent notification to the contrary, the Court will conduct the initial pretrial hearing when separate Scheduling Memorandums are filed.

IN ANY EVENT, THE SCHEDULING MEMORANDUM(S) SHALL BE FILED NO LATER THAN _____, WHICH IS FOUR DAYS PRIOR TO THE SCHEDULED PRETRIAL HEARING.

If a party files a request for additional time to file an answer, the request shall be accompanied by an Order, which addresses the scheduling of a pretrial hearing and the time for filing a Scheduling Memorandum. Attached is an example of such an Order.

A copy of this memorandum (with attached Joint Scheduling Memorandum, Scheduling Order and Scheduling Memorandum) shall be

served with the summons and complaint by the plaintiff upon each defendant.

Attachments: Joint Scheduling Memorandum
 Scheduling Order
 Scheduling Memorandum
 Order Extending Time

cc: Above Referenced Adversary Proceeding File (without
 attachments)

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
GREENSBORO DIVISION

IN RE:)	
)	
LARRY DEBTOR,)	Case No. B-96-99999C-7G
)	
Debtor.))	
)	
MARY TRUSTEE,)	
)	
Plaintiff,))	
vs.)	Adversary Proceeding No.
)	A-96-9999
LARRY DEBTOR,)	
)	
Defendant.))	

ORDER EXTENDING TIME

This matter coming before the undersigned Judge upon the Defendant's ex parte application to extend the time to file an answer.

For cause shown in the foregoing application, it is ORDERED that the Defendant be allowed an additional thirty days from the date of the signing of this ORDER to file an answer or otherwise plead.

IT IS FURTHER ORDERED that the parties shall file a Scheduling Memorandum with the Court on or before _____.

IT IS FURTHER ORDERED that if the parties agree on a discovery plan, they must sign and file with the Court a Joint Scheduling Memorandum on such date along with a proposed Joint Scheduling Order.

In the event that a Joint Scheduling Memorandum has not been approved, a pretrial hearing will be held on _____ at _____ in _____.

This the _____ day of June, 1996.

U.S. Bankruptcy Judge